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Serial No. 10/801,273

Amendment After Final

UTILITY PATENT

B&D No. JK01488A

Amendments to the Specification:

Please replace paragraph 0017 with the following rewritten paragraph:

—[0017] Referring to FIG. 6, in a preferred embodiment, a gear box 644 extends from a side of the arbor 648. For example, a saw gear assembly 652 (transmission) may transmit the rotational energy from the motor through a helical gear set (including a gear included on the motor drive shaft 654 and an intermeshing gear 656 included on a first end of a jack shaft 658) and a 90° (ninety degree) gear set (including a bevel gear 622 on a second end of the jack shaft 658 and a bevel gear 664 included on the arbor shaft 648) coupled to the arbor 648 for mounting the saw blade 610 thereto (such as secured via a bolt 650/flange. Furthermore, the jack shaft 658 may be configured to extend between the helical gear set and the 90° (ninety degree) gear set to allow for adjustment (such as to allow for manufacturing variance), minimize stress on various gear components, and the like. Configuring the gear assembly 652 with an intermediate jack shaft may allow for maximized cutting capacity without the gear box/motor housing contacting a workpiece positioning fence when performing bevel/miter cuts and in particular bevel/miter cuts at 45° (forty-five degrees) Preferably, the gear box 644 is tapered 646 generally in the direction of the base (narrows towards the arbor) such that the gear box does not interfere with mitering operations (such as by contacting the fence when cutting a 45.degree. and/or bevel miter), or by contacting the workpiece, such as when a trim piece is angled against the workpiece positioning fence 112. As shown in FIG. 6, gear box 644 has a portion 644P directly below motor drive shaft 654. Portion 644P is higher than arbor shaft 648.—

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This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (previously presented): A miter saw, comprising:

a base having a support surface for at least partially supporting a workpiece;

a workpiece positioning fence coupled to the base, said positioning fence being orientated substantially perpendicular to the support surface; and

a cutting assembly pivotally mounted to the base to achieve a plurality of positions, said cutting assembly including:

a blade disposed on an arbor;

a blade guard covering at least a portion of the blade;

a motor orientated substantially perpendicular to the arbor for rotating a circular saw blade, the motor having a motor shaft;

a gear assembly configured and arranged to transfer the rotational energy of the motor shaft to the arbor, and

a gear housing covering at least part of the gear assembly and the arbor, the gear housing having a portion being directly below the motor shaft;

wherein when the cutting assembly is disposed at the cutting assembly's closest position to the base when mitering at least a 45° (forty-five degree) from a plane substantially

perpendicular to the workpiece positioning fence, the motor is disposed between the blade guard

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and the workpiece position fence, at least one of the gear assembly and motor being configured so as to not contact the workpiece position fence;

wherein the arbor does not extend beyond the motor shaft, and the gear housing portion is higher than the arbor.

Claim 2 (original): The miter saw of claim 1, wherein the gear assembly includes a helical gear set coupled to the motor and a bevel gear set between the helical gear set and the arbor.

Claim 3 (original): The miter saw of claim 1, wherein the gear assembly includes a helical gear set coupled to the motor and a jack shaft extending between the helical gear set and a bevel gear set coupled to the arbor.

Claim 4 (currently amended): The miter saw of claim 1, ~~further comprising a gear box for enclosing the gear assembly, said~~ wherein the gear housing is ~~box being~~ tapered in the direction of the base.

Claim 5 (original): The miter saw of claim 1, further comprising a trunnion disposed between the cutting assembly and the base, said trunnion being constructed so as to permit the cutting assembly to bevel with respect to the base.

Claim 6 (original): The miter saw of claim 1, further comprising a turntable pivotally mounted to the base, said turntable being constructed so as to rotate the cutting assembly with respect to the workpiece positioning fence..

Claim 7 (original): The miter saw of claim 1, wherein the miter saw is at least one of a chop-type miter saw and a sliding miter saw.

Claims 8-33 (canceled).

Claim 34 (previously presented): The miter saw of claim 1, wherein the gear assembly comprises

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a first bevel gear rotatably attached to the arbor, a second bevel gear meshing with the first bevel gear, a jack shaft rotatably connected to the second bevel gear, and a helical gear set disposed between the jack shaft and motor shaft.

Claim 35 (previously presented): The miter saw of claim 34, wherein the first and second bevel gears and the jack shaft are disposed between the motor shaft and the blade.

Claim 36 (canceled).